

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

## CIVIL MINUTES - GENERAL

Case No.	SACV 11-00528-CJC(RNBx)	Date	August 25, 2011
Title	Mothers Nutritional Center, Inc. v. Marthas Nutritional Center, et al		

Present: The Honorable	CORMAC J. CARNEY, UNITED STATES DISTRICT JUDGE
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Michelle Urie	Not Reported
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Deputy Clerk	Court Reporter / Recorder
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Attorneys Present for Plaintiffs:	Attorneys Present for Defendants:
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None Present	None Present
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**Proceedings:** (IN CHAMBERS) ORDER TO SHOW CAUSE RE DISMISSAL FOR LACK OF PROSECUTION

The Court, on its own motion, hereby ORDERS plaintiff, to show cause in writing no later than **September 1, 2011** why this action should not be dismissed for lack of prosecution. As an alternative to a written response by plaintiff, the Court will consider the filing of one of the following, as an appropriate response to this OSC, on or before the above date:

- Plaintiff's Request for Entry of Default
- Plaintiff filing of Notice of Voluntary Dismissal (F.R.Civ.P. 41)

Absent a showing of good cause, an action shall be dismissed if the summons and complaint have not been served upon all defendants within 120 days after the filing of the complaint. Fed. R. Civ. P. 4(m) The Court may dismiss the action prior to the expiration of such time, however, if plaintiff has not diligently prosecuted the action.

It is the plaintiff's responsibility to respond promptly to all orders and to prosecute the action diligently, including filing proofs of service and stipulations extending time under Rule 55 remedies promptly upon default of any defendant. All stipulations affecting the progress of the case must be approved by the Court. Local Rule 7-1.

NO oral argument of this matter will be heard unless ordered by the Court. The Order will stand submitted upon the filing of a responsive pleading or motion on or before the date upon which a response by plaintiff is due.

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